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PATENT

Docket No. 312.0001 0101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lebovic et al.) Group Art Unit: 3736
Serial No.: 10/658,518)
Confirmation No.: 1942) Examiner: Veniaminov
Filed: 9 September 2003)
For: BRACHYTHERAPY APPARATUS AND METHODS OF USING SAME

FACSIMILE TRANSMISSION TO THE PTO

Commissioner for Patents
Attn: Examiner Veniaminov
P.O. Box 1450
Alexandria, VA 22313-1450

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The following papers are being transmitted to the Patent and Trademark Office by facsimile transmission: Election Under 37 C.F.R. §3.71, Revocation, Power of Attorney, and Certificate Under §3.73(b)

X Small Entity Status is entitled to be asserted in the above-identified application.

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Mueting, Raasch & Gebhardt, P.A.
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By: Matthew W. Adams
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CERTIFICATE UNDER 37 C.F.R. §1.8: The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to the Commissioner for Patents, Attn: Examiner Veniaminov, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8th day of March, 2005, at 9:21 am (Central Time).

8 March 2005
Date

Signature: Jacquelyn K. Torborg
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PATENT

Docket No. 312.00010101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lebovic et al.)	Group Art Unit: 3736
)	
Serial No.: 10/658,518)	Examiner: Veniaminov, Nikita R.
)	
Filed: 9 September 2003)	Confirmation No.: 1942
)	
For: BRACHYTHERAPY APPARATUS AND METHODS OF USING SAME		

ELECTION UNDER 37 C.F.R. §3.71, REVOCATION,
POWER OF ATTORNEY, AND CERTIFICATE UNDER §3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Assignee, CuRay Medical, Inc., of the entire interest in the above-identified application hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints those registered patent attorneys and registered patent agents associated with Customer Number 26813 as its attorney or agent (with full powers of appointment, substitution, and revocation) to prosecute the application, and any division, continuation, continuation-in-part, reexamination, or reissue thereof, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent.

Election Under 37 C.F.R. §§3.71, Revocation, Power of Attorney and Certificate under §3.73(b) Page 2 of 2

Serial No.: 10/658,518

Confirmation No.: 1942

Filed: 9 September 2003

Title: BRACHYTHERAPY APPARATUS AND METHODS OF USING SAME

Please send correspondence to the following address:

Attention: Matthew W. Adams
Mueiting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Customer Number 26,813

Statement under 37 C.F.R. §3.73(b)

CuRay Medical, Inc. states that it is the assignee of the entire right, title and interest in the above-identified patent application by virtue of an assignment from the inventors of the above-identified patent application to CuRay Medical, Inc. The assignment is recorded with the U.S. Patent and Trademark Office at Reel/Frame 015591/0030.

The undersigned (whose title is supplied below) is empowered to sign this document on behalf of the Assignee.

ASSIGNEE:

CURAY MEDICAL, INC.

2/04/05
Date

George D. Hermann
Signature

GEORGE D. HERMANN
Typed or Printed Name

PRESIDENT
Title